

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.14419 OF 2002

10.3.2006

Between:

Pathuri Srilakshmamma, W/o.Venkateswarlu

... Petitioner

AND

Government of Andhra Pradesh, Revenue Department,

Represented by its Secretary, Secretariat Buildings, Hyderabad

And others

... Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.14419 OF 2002

ORDER:

The petitioner was assigned land admeasuring Acs.1.53 situated in survey No.205/2 in Chilamakur village of Marripudi Mandal in Prakasam District. Such orders were passed on 07.1.1986. By impugned proceedings dated 16.1.2002, the Mandal Revenue Officer (MRO), Marripudi cancelled the assignment and directed resumption of the land on the ground that the land in survey No.205/2 is classified as Kunta in the village revenue records. Aggrieved by which, the present writ petition is filed.

This Court while admitting the writ petition granted interim orders on 08.08.2002. The respondents moved this Court for vacating the said interim orders. Though the interlocutory applications are listed, the matter was heard finally on 17.2.2006 and the learned Assistant Government Pleader was directed to produce the records.

Accordingly, the records are produced today.

After verifying the records, it becomes clear that the MRO issued notice to the petitioner on 30.12.2001 in accordance with directions of the Chief Commissioner of Land Administration and the same was received by the petitioner. The notice is to the effect that the assignment of land in survey No.205/2, which is classified as Kunta as per the revenue records, is illegal under the provisions of Board Standing Order 15. It is now well settled by reason of the judgment of the Supreme Court in **Hinch Lal Tiwari v Kamala Devi**, that a water body or the land, which is classified as water body or tank bed land, cannot be assigned for agricultural purposes. In that view of the matter, this Court does not find any infirmity in the impugned order. The interim order passed by this Court on 08.8.2002 stands vacated.

The writ petition is accordingly dismissed. No costs.

(V.V.S.RAO, J)

March 10, 2006

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